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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
Sitting at Tokyo, Japan.

Case No. 1

THE UNITED STATES OF AMERICA: et al

-VS-

ARAKI, Sadao; et al

-Defendants-

Application of the accused OKAWA. Shumei for an  
order for the production of documents & witnesses

Comes now the accused herein, OKAWA, Shumei and makes known to this Tribunal that he is desirous of obtaining from this Tribunal an order for the production at the trial of this case as witnesses in his behalf, the following documents and persons:

A. DOCUMENTS:

1. PRAVDA (Newspaper), 1-31 August, 1935.

Location: PRAVDA Press Co., U. S. S. R.

This document contains the resolution and activities of Comintern, especially of the Seventh Congress.

The facts concerning which this document will show are that the Comintern issued orders to both Chinese and Japanese Communist Parties, as follows, the former to provoke military actions from Japan and the latter to disturb the internal order in Japan.

2. Leninism Hrest matiye "XPECTOMATIA", 1933. Published by Lenpart izdat.

Location: Lenpart izdat, U. S. S. R.

This document is published at the celebration of Stalin's Fiftieth Birth Day; there is a speech made by Stalin wishing to stir up military troubles among Capitalist countries. This document with others will show that Japan was forced to resort to war unwillingly.

3. Tung-Ping Daily News (Tohoku-Nippo), January 15, 1932

Location: Tung-Ping Daily Press Co., Mukden, Manchuria.

This document contains a report on Mukden Four Races Preservation Council which consists of 28 private associations. That report is entitled as "Our Expectation for the Establishment of a New State in Manchuria and Mongolia", signed by 862,000 members and Wang Wei-Chou was selected as chairman and representative.

The facts concerning which this document will show are: the establishment of Manchoukuo was the result of the joint desire of the four races domiciled in Manchuria.

4. Pamphlets entitled as follows: Published by the Young People's Federation of Manchuria. 1931-1932.

Location: Los Angeles Library.

- a. "The Stand of this Federation."
- b. "Is China really a State?"
- c. "Outline of the Sino-Japanese Clash in Manchuria."
- d. "Evidences that the Chinese 'Non-Resistance Policy was a Hoax'".
- e. "What happened immediately after the Blowing up of the Railway Track by the Chinese Soldiers."
- f. "The Reason for Chastising the Chinese Troops near Chan-Chun."



- g. "Devastation by Fugitive Soldiers and Hung Hu Dzu."
- h. "Study of the Chinese Army in connection with the Present Clash."
- i. "Statistics on Sino-Japanese Fighting."
- j. "Some Facts which Prevent Japan from Withdrawing Her Troops."

5. Documents located at Washington Document Center, Stuart Bldg., Washington D. C. and described as follows:  
Shipping Advice 15072

<u>Crate No.</u>	<u>Items No.</u>	<u>Description</u>
95	116	"File of classified Correspondence and Records dealing with Manchurian Affairs", 1932.
95	116	"File of classified Correspondence and Records dealing with Manchurian Affairs". 1934
51 & 52	39	"Appendix to the File of Correspondence and Records dealing with Manchurian Affairs", 1934.

B. WITNESSES:

Ro Un Kyo                      Nationality: Korean.  
Address                      : Seoul, Korea.  
An influential member of Korean Political party.  
The witness is the one of Koreans who planned the Korean Independence and has gone to Shanghai and established the Korean Independent Government there.

The facts concerning which this witness will testify are:  
that the accused OKAWA, Shumei did not plan or take part in  
any alleged invasion of South Sea Areas (including Pacific Islands), or alleged plan for World conquest by Japan.

Sakatani, Kiichi

Nationality: Japanese

Address : supposed to be in Peking  
Vice-Chief of the General Affairs  
Board in Manchuria.

The facts concerning which this witness can give testimony are: the government policy of Manchoukuo was decided in accordance with the wills and desires of Manchurian people; That is to say that the Manchurian Government was not a puppet at all. The finance and financial activities in Manchuria were planned and carried out as a commercial or economic enterprise beneficial to all residents in Manchuria in accordance with laws and agreements of Manchuria.

WHEREFORE, your petitioner prays that appropriate order of this Tribunal be made and entered directing the production of the above named documents and witnesses at this trial.

The precise date upon which such witnesses testimony will be given are not known to the petitioner.

OKAWA, Shumei

By

OHARA, Shinichi

BROOKS, Alfred W.